

IN THE SENATE OF THE UNITED STATES.

MARCH 10, 1858.—Ordered to be printed.

Mr. DURKEE made the following

REPORT.

[To accompany Bill S. 190.]

*The Committee on Private Land Claims, to whom was referred the petition of Daniel Whitney, of Green Bay, State of Wisconsin, praying the confirmation of his title to a certain tract of land, have had the same under consideration, and ask leave to make the following report :*

That in the year 1823 the commissioners appointed to ascertain and decide upon claims to land in the Territory of Michigan, under an act of Congress approved 21st February, 1823, did confirm to one Pierre Grignon a certain "piece of ground lying and being on the west side of Fox river, Green Bay, immediately below the first creek that empties into said river, about fifteen acres in front on the said river, and extending back indefinitely."—(See American State Papers, on Public Lands, volume 4, page 721.) That the second section of an act of Congress entitled "An act to confirm certain claims to lands in the Territory of Michigan," signed April 17, 1828, did approve of the confirmation of the foregoing claim made by the commissioners, and contained in volume 1 of their report. But the third section of said act provided that the confirmations under it should not extend to any lands occupied by the United States for military purposes; and the claim of Pierre Grignon being within the limits of the old reserve for Fort Howard, was held by the Commissioner of the General Land Office to be without confirmation. The original ground which excluded this claim from confirmation no longer exists, as the Fort Howard military reservation has been abandoned by the War Department for military purposes; and your committee is therefore of the opinion that the land in question ought to be granted by Congress to Pierre Grignon, or his legal representatives. The petitioner, Daniel Whitney, has represented himself to be the assignee of Pierre Grignon, but has failed to submit any evidence in support of such pretension. In view of this, and of the impropriety of Congress deciding between adverse claimants, a bill is reported for the relief of the original confirmee, or his legal representatives, and its passage recommended.

